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Docket No-0263-4047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shu

Shuji SUMIDA et al.

Group Art Unit:

1654

Serial No.:

09/622,487

Examiner:

RUSSEL, Jeffrey

Filed:

August 17, 2000

For:

PROTEIN-FREE FORMULATIONS

EXPRESS MAIL CERTIFICATE

Mail Stop _____ Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Express Mail Label No.: EV 245 501 413US

Date of Deposit: November 13, 2003

I hereby certify that the following attached paper(s) and/or fee

- 1. Information Disclosure Statement;
- 2. Form PTO-1449;
- 3. One cited reference;
- 4. Check of \$180.00;
- 5. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Shen

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone (212) 751-6849 Facsimile

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	Š	Group Art Unit:	1654	0	Ä
Serial No.:	09/622,487		野	8 2	Z
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Filed:	August 17, 2000		0128	- }	C

For: PROTEIN-FREE FORMULATIONS

roi	•	TROTEIN-TREE PORVIOLATIONS
		INFORMATION DISCLOSURE STATEMENT
Cor P.O	. Box	ioner for Patents
Sir:		
	Tł	ais Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97
and	1.98.	The items listed on Form PTO-1449, a copy of which is enclosed, are made of record
to a	ssist tl	ne Patent and Trademark Office in its examination of this application. The Examiner is
resp	ectful	ly requested to fully consider the items and to independently ascertain their teaching.
1.		For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2.		For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3.		Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No, filed
4.		No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
		37 C.F.R. §1.97(b)(1), within three months of the filing date of a national

application other than a CPA; or

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Docket No. <u>0263-4047</u> Serial No. <u>09/622,487</u>

			37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or		
			37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or		
			37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.		
5.		since in para Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of rance (where there has been no prior final action), and is accompanied by one of rtifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.		
6. 🔀		A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement si it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):			
		\boxtimes	A check in the amount of \$180.00 is enclosed in payment of the fee.		
			Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.		
7.		A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement sit is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a action or a notice of allowance, whichever comes first, but before payment of the fee, and is accompanied by:			
			ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and		
			te fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.		
8.		This I	nformation Disclosure Statement is being filed in compliance with:		
		a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);		
		b	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).		
		c. 🔲	The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11		

below.

9.		I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.				
		I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.				
10.		This document is accompanied by \square a Search Report \square Communication which was cited in a corresponding \square PCT or \square Foreign counterpart application				
11.	1. A check in the amount of \$180.00 is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).					
		Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
	X	The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>0263-4047</u> . A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
		Respectfully submitted, MORGAN & FINNEGAN, L.L.P.				
Dated: November 13, 2003 By:		by: By: Joseph D. Eng, Jr. Registration No. 54,084				
Cor	respor	ndence Address:				
		N & FINNEGAN, L.L.P.				
345 Park Avenue						
	New York, NY 10154-0053 (212) 758-4800 Telephone					
•	,	-6849 Facsimile				

below.

9.	I hereby certify that each item of information contained in this Information Di Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of Information Disclosure Statement.				
	filed herewith was cited in a communi-	ation in the Information Disclosure Statement cation from a foreign patent office in a my knowledge after making reasonable inquiry, ed in §1.56(c) more than three months prior to be Statement.			
10.	This document is accompanied by cited in a corresponding PCT or	a Search Report Communication which was Foreign counterpart application			
11. 🔀	A check in the amount of \$180.00 is e C.F.R. §§1.17(h) and 1.17(p).	nclosed in payment of the fees due under 37			
	Charge the fees due under 37 C.F.R. § 13-4500, Order No A DUPLI ATTACHED.	§1.17(h) and 1.17(p) to Deposit Account No. ICATE COPY OF THIS SHEET IS			
X	The Commissioner is hereby authorized to charge any additional fees which required for this Information Disclosure Statement, or credit any overpayment Deposit Account No. <u>13-4500</u> , Order No. <u>0263-4047</u> . A DUPLICATE COP THIS SHEET IS ATTACHED.				
		Respectfully submitted, MORGAN & FINNEGAN, L.L.P.			
Dated:	November 13, 2003 By:	Joseph D. Eng, Jr. Registration No. 54,084			
Corresp	ondence Address:				
	AN & FINNEGAN, L.L.P.				
	k Avenue ork, NY 10154-0053				
	58-4800 Telephone				
	51-6849 Facsimile				

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FORM PTO-1449 INFORMATION DISCLOSURE CITATION		0263-4047	09/622,487			
		Applicant:				
		Shuji SUMIDA et al.				
			Filing Date: August 17, 2000	Group Art Unit: 1654		
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Examiner Initial	Patent Number	Publication Date	Country	Class	Sub- Class	Translation
						☐ Yes ☐ No
						Yes No
						Yes No
						Yes No
] `	☐ Yes ☐ No

	OTHER DO	CUMENTS (Including Author, Title, Date, etc.)	
	Oh-oda, M. et al., J. Bio	l. Chem., 265(20), 11432-11435, 1990	
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Examiner		Date Considered	
EXAMINER:	Initial if reference considered, whether or no Draw line through citation if not in conformal	nce and not considered.	